

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-CR- 80219-RLR

UNITED STATES OF AMERICA)
)
v.)
)
MICHAEL GORDON DOULGAS,)
a/k/a "DaddyBreendsFam,")
a/k/a "Michael,")
)
Defendant.)
_____)

**GOVERNMENT'S RESPONSE TO
THE STANDING DISCOVERY ORDER**

The United States hereby files this response to the Standing Discovery Order. This response also complies with Local Rule 88.10 and Federal Rule of Criminal Procedure 16.

- A. 1. Attached, please find a copy of any written statements made by the defendant during the online chat communication, summarized in the law enforcement reports.

Video recordings and screen capture of these statements made of the defendant's online chat communication can be obtained by making arrangements with undersigned counsel. Specifically, these recordings can be reviewed at the discovery conference as set forth in paragraph A.5 below. As said recordings contain images and videos of child sexual abuse material, they are not attached to this discovery filing.

One audio recorded call with the defendant and one video sent by the defendant are included in this discovery filing.

Attached is the portion of the written, audio recorded and video recorded record containing the substance of any oral statement made by the defendant before or after arrest in response to interrogation by any person then known to the defendant to be a government agent.

3. No defendant testified before the Grand Jury.

4. The defendant's prior criminal record is attached.
5. Books, papers, documents, data, photographs, tangible objects, buildings or places, within the government's possession, custody or control, which are material to the preparation of the defendant's defense, or which the government intends to use as evidence at trial to prove its case in chief, or which were obtained from or belong to the defendant, may be inspected at a mutually convenient time at: the Office of the United States Attorney, 500 A. Australian Ave., West Palm Beach, Florida, Suite 400. Please call the undersigned within 48 hours if you intent to review the evidence to set up a date and time that is convenient to both parties.

The attachments to this discovery response are not necessarily copies of all the books, papers, documents, data, etc., that the government may intend to introduce at trial.

Additionally, the government is in possession of the following devices seized from the defendant's residence during the execution of search warrants which are available for review at the West Palm Beach office of Homeland Security Investigations:

- a. Samsung Cellular Phone
- b. HP Laptop Pavilion Notebook
- c. Micro SD Card
- d. SIM Card
- e. Black Camera with SD CARD
- f. Vivitar 5-megapixel Camera with SD CARD
- g. Schok Cellphone
- h. Five (5) Flash drives
- i. HP Laptop

Additionally, the government is in possession of the following device seized from the defendant's vehicle at the time of his arrest which is available for review at the West Palm Beach office of Homeland Security Investigations:

- a. Verizon Cellular Phone

6. There were no physical or mental examinations or scientific tests or experiments made in connection with this case.

B. DEMAND FOR RECIPROCAL DISCOVERY: Pursuant to the Standing Discovery Order, the United States requests the disclosure and production of materials listed in Section (b) of Local Rule 88.10. This request is also made pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure.

- C. The government will disclose any information or material which may be favorable on the issues of guilt or punishment within the scope of Brady v. Maryland, 373 U.S. 83 (1963), and United States v. Agurs, 427 U.S. 97 (1976).
- D. The government will disclose any payments, promises of immunity, leniency, preferential treatment, or other inducements made to prospective government witnesses, within the scope of Giglio v. United States, 405 U.S. 150 (1972), or Napue v. Illinois, 360 U.S. 264 (1959).
- E. The government will disclose any prior convictions of any alleged co-conspirator, accomplice or informant who will testify for the government at trial.
- F. No defendant was identified in a lineup, show up, photo array or similar identification proceedings.
- G. The government has advised its agents and officers involved in this case to preserve all rough notes.
- H. The government will timely advise the defendant of its intent, if any, to introduce at trial extrinsic act evidence pursuant to F.R.E. 404(b). Pursuant to Local Rule 88.10, the notice will be provided regardless of whether the evidence may be used in the case-in-chief, for impeachment or possible rebuttal, and will include the general nature of the evidence.

You are hereby on notice that all evidence made available to you for inspection, as well as all statements disclosed herein or in any future discovery letter, may be offered in the trial of this cause, under F.R.E. 404(b) or otherwise (including the inextricably-intertwined doctrine).

Specifically, on April 27, 2011, the defendant plead guilty to three (3) counts of distribution of matter depicting person under 18 in sexual conduct, 1 count of possession of matter depicting person under 18 in sexual conduct, and 1 count of attempted harmful matter sent to a minor via electronic means in the Superior Court of California, County of San Diego from incidents occurring on or between February 14, 2000 - November 27, 2006. The records, conviction and fingerprints of the same have been provided in discovery.

- I. The defendant is not an aggrieved person, as defined in Title 18, United States Code, Section 2510(11), of any relevant electronic surveillance that was authorized pursuant to 18 U.S.C. §2516 and 18 U.S.C §2518 and that

has been unsealed in accordance with 18 U.S.C §2518.

- J. The government has ordered transcribed the Grand Jury testimony of all witnesses who will testify for the government at the trial of this cause.
- K. The contraband involved in this indictment is the child pornography distributed and possessed by the defendant.
- L. The government does not know of any automobile, vessel, or aircraft allegedly used in the commission of this offense that is in the government's possession.
- M. The government is not aware of any latent fingerprints or palm prints which have been identified by a government expert as those of the defendant.
- N. The government will make every possible effort in good faith to stipulate to all facts or points of law the truth and existence of which is not contested and the early resolution of which will expedite trial. These stipulations will be discussed at the discovery conference.

The government is aware of its continuing duty to disclose such newly discovered additional information required by the Standing Discovery Order, Rule 16(c) of the Federal Rules of Criminal Procedure, Brady, Giglio, Napue, and the obligation to assure a fair trial.

The attachments to this response have been uploaded to USAfX in a folder entitled, “Douglas Discovery”, and made available via secured link to defense counsel identified below, and includes include the following:

1. One (1) .PDF file entitled: “US v. Douglas, 23CR80219-CANNON, RSDO1, Bates Numbers 00001 – 01091_redacted”;
2. Three (3) .m4a audio files, entitled: “DOUGLASA UC call 12-12-23,” “Interview with Crystal Tesarallen 12-12-23”, and “Interview with DOUGLAS - HSI Jay driving to Booking 12-12-23”;
3. Two (2) .MOV files, entitled: “IMG_0652.MOV” (evidence from defendant’s car) and “IMG_0656.MOV” (defendant at police station);
4. One (1) .MP3 file, entitled, “Interview with DOUGLAS”;
5. One (1) .MP4 file, entitled, “Kik Live Video from DOUGLAS on 10-26-23”;
6. Four (4) folders and eight (8) subfolders, with thirty-six (36) files, entitled, as follows:

Media DOUGLAS sent to UC

Name	Size	Type
0357259c-d515-4797-aeff-ef6d99945063.mp4	2273K	MP4 Video File (VLC)
1fbb2068-787b-416b-9524-f819624ae3bd.mp4	2276K	MP4 Video File (VLC)
4b8db6d4-9eb1-480f-89c2-2655499611e3.mp4	2030K	MP4 Video File (VLC)
5ba2ffa1-8317-4516-af1f-7f7878b3db59.jpg	1176K	JPG File
6e89b15e-e203-49a7-8dcb-c94071b67a8c.mp4	2309K	MP4 Video File (VLC)
acaa329c-76c5-40a8-ad77-cd67c80327d9.mp4	5064K	MP4 Video File (VLC)

eb783110-d218-42d7-87d1-42b106ea0288.jpg	319K	JPG File
f3ea9348-7b53-41eb-b085-cf1acab70215.mp4	2282K	MP4 Video File (VLC)

Gmail Subpoena - Miked14691

Name	Size	Type
Letter 47087052.pdf	225K	Adobe Acrobat Document

Gmail Subpoena - Miked14691\Billing Info

Name	Size	Type
GOOGLE~1.TXT	0K	Text Document
NoRecords.txt	0K	Text Document

Gmail Subpoena - Miked14691\GooglePay

Name	Size	Type
CUSTOM~1.TXT	4K	Text Document
GOOGLE~1.TXT	0K	Text Document

Gmail Subpoena - Miked14691\Subscriber Info

Name	Size	Type
GOOGLE~1.TXT	0K	Text Document
MIKED1~1.HTM	1K	Chrome HTML Document

Gmail Subpoena - Miked14691\Voice Communication

Name	Size	Type
NORECO~1.TXT	0K	Text Document
VOICEC~1.TXT	0K	Text Document

Gmail Subpoena - Rmfiorg

Name	Size	Type
Letter 47087052.pdf	225K	Adobe Acrobat Document

Gmail Subpoena - Rmfiorg\Billing Info

Name	Size	Type
BILLIN~1.TXT	21K	Text Document
GOOGLE~1.TXT	0K	Text Document

Gmail Subpoena - Rmfiorg\GooglePay

Name	Size	Type
CUSTOM~1.TXT	17K	Text Document
GOOGLE~1.TXT	0K	Text Document
INSTRU~1.TXT	92K	Text Document
STORED~1.TXT	0K	Text Document

Gmail Subpoena - Rmfiorg\Subscriber Info

Name	Size	Type
GOOGLE~1.TXT	0K	Text Document
RMFIOR~1.HTM	2K	Chrome HTML Document

Gmail Subpoena - Rmfiorg\Voice Communications

Name	Size	Type
NoRecords.txt	0K	Text Document
AMVOICEC~1.TXT	0K	Text Document

Verizon - Douglas 7608038825

Name	Size	Type
ActDeact_MTN-7608038825.csv	0K	Microsoft Excel Comma Separated Values File
AttachedFax_11-03-2023_15-17-32.pdf	521K	Adobe Acrobat Document

Certification of records NJ conformed copy sesig.html	2K	Chrome
HTML Document		
DeviceId__MTN-7608038825.csv	0K	Microsoft Excel Comma Separated Values File
Features__7608038825.csv	3K	Microsoft Excel Comma Separated Values File
OtherNumbers__7608038825.csv	0K	Microsoft Excel Comma Separated Values File
PaymentActivity__MTN-7608038825.csv	0K	Microsoft Excel Comma Separated Values File
Subscriber__MTN-7608038825.csv	0K	Microsoft Excel Comma Separated Values File

Please contact the undersigned Assistant United States Attorney if any pages are missing.

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By: s/Gregory Schiller
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 11, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record on the attached Service List in the manner specified.

s/Gregory Schiller
Gregory Schiller
Assistant United States Attorney

SERVICE LIST

United States v. MICHAEL GORDON DOULGAS
Case No. 23-CR- 80219-RLR
United States District Court
Southern District of Florida

Party	Counsel
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Defendant: Eric Raymond Bahre	John D. Kirby, Esq. The Law Office of John D. Kirby 401 West A. Street, Suite 1150 San Diego, CA 92101 John R. Howes, Esq. Howes Law Group, P.A. 110 SE 6 th St., Suite 1700 Ft. Lauderdale, FL 33301 Email: FloridaLawyer@outlook.com via Notice of Electronic Filing generated by CM/ECF